

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

REASSURE AMERICA LIFE INSURANCE CO.,
Plaintiff

v.

MIDWEST RESOURCES, LTD.,
Defendant

:
:
:
: CIVIL ACTION
:
: NO. 09-5590
:
:
:
:

Order

AND NOW, this 16th day of February, 2011, upon consideration of plaintiff's motion to dismiss defendant's counterclaims under Federal Rule of Civil Procedure 12(b)(6) (Doc. No. 23), defendant's opposition brief, plaintiff's reply thereto, and defendant's sur reply, **IT IS HEREBY ORDERED THAT** the motion to dismiss is **DENIED**.

s/ William H. Yohn, Jr.
William H. Yohn, Jr., Judge